

EXHIBIT C

TO POMERANTZ DECLARATION

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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IN RE GOOGLE PLAY STORE Case No.
ANTITRUST LITIGATION 3:21-md-02981-JD

THIS DOCUMENT RELATES TO:
Epic Games Inc. v. Google LLC, et al.,
Case No: 3:20-cv-05671-JD

In re Google Play Consumer
Antitrust Litigation,
Case No: 3:20-cv-05761-JD

In re Google Play Developer
Litigation,
Case No: 3:20-cv-05792-JD

State of Utah, et al.,
v. Google LLC, et al.,
Case No: 3:21-cv-05227-JD

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REMOTE VIDEOTAPED DEPOSITION BY VIRTUAL ZOOM OF
MICHAEL MARCHAK

Thursday, January 13, 2022

Volume 2 (Pages 359-528)

Reported By: Lynne Ledanois, CSR 6811

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1 A Or a propensity or something
2 like that. But I look at it all
3 developers have the capability to go
4 it alone on Android.

5 Q But these were, as you say,
6 some propensity to actually go through
7 with it?

8 MS. CHIU: Object to form.

9 THE WITNESS: Something like
10 that where they've invested
11 already or had some
12 characteristics that aligned with
13 that.

14 BY MR. EVEN:

15 Q Do you recall that some of
16 these developers in fact suggested
17 that they would go it alone and open
18 their own distribution channel?

19 A I recall that one of the
20 developers on that -- that was on the
21 left highlighted had considered that.

22 Q And which developer is that?

23 A I believe it was -- my
24 recollection is Riot Games.

25 Q Do you remember that

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1 Activision Blizzard suggested that it
2 may open its own store to distribute
3 its own games?

4 A I don't recall the details
5 on that. I recall more details on
6 Riot.

7 Q We'll get there.

8 By the way, do you recall
9 who this presentation was presented
10 to?

11 A I don't.

12 Q Do you understand this
13 presentation was intended to include a
14 proposal about the contents of GVP 2.0
15 that would go to the business counsel?

16 MS. CHIU: Object to form.

17 THE WITNESS: I don't. I'm
18 not sure. I haven't gotten to the
19 slides on any of the V2 stuff, so
20 I don't recall.

21 BY MR. EVEN:

22 Q Was GVP 2.0 presented to the
23 business counsel?

24 A Yes.

25 Q Was GVP 2.0 approved by the

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1 business counsel?

2 A Yes.

3 Q Would you go to the page
4 ending in 6701?

5 A Okay.

6 Q And do you see there on the
7 left-hand side, a blue rubric saying
8 "Pre-GVP: Considered own distribution
9 and/or payment platforms"?

10 A I do.

11 Q And do you see that based on
12 this slide, not only Riot but also
13 Tencent and Activision Blizzard King
14 pre-GVP considered their own
15 distribution and/or payment platforms?

16 MS. CHIU: Object to form.

17 THE WITNESS: That seems to
18 be what the slide indicates.

19 BY MR. EVEN:

20 Q Do you have any reason to
21 doubt that Mr. -- what Mr. Gambhir is
22 presenting here?

23 A I don't.

24 Q If you go to 6705.

25 Do you see that here the